

ATTACHMENT 2 SCAG GRANT CERTIFICATION FORM

Name of Entity to Implement Project (Subapplicant)			
Mailing Address:			
Contact Name:		Phone Number:	() -
Mailing Address (if different):		Email:	
Grant Program:	Low or No Emission Vehicle Deployment Program (LoNo Program)		
Project Title:			

This Grant Certification Form is required to be signed by all Subapplicants of the Low or No Emission Vehicle Deployment Program (LoNo Program).

1. Definition of "Subrecipient:" For purposes of administering the LoNo Program, "Subrecipient" shall mean an eligible Public Transportation Provider, or a project team member identified in the proposal and deemed a "Key Party" by FTA, including consultants, manufacturers, vendors, systems integrators and facilities providers. Subrecipients shall include Subapplicants as defined in Section 2, below.
2. Definition of "Subapplicant:" For purposes of administering the LoNo Program, "Subapplicant" shall refer to one (1) Entity to Implement the Project, which is an eligible Subrecipient and designated in the Applicant and Proposal Profile (FTA Supplemental Form), Section II (Project Information) in the grant application.
3. Applications and Grant Management Process: All Subapplicants must submit proposals for funding (Applications) through SCAG's Call for Applications process to receive LoNo Program funds awarded by FTA to implement eligible, capital projects, and receipt of such funds is contingent upon meeting federal requirements. Subapplicants may designate Project Team Members, which are eligible Subrecipients as defined herein, in the Applicant and Proposal Profile, Section II (Project Information) in the grant application. All Subapplicants are responsible for ensuring that Project Team Members (Subrecipients) which receive funds under the LoNo Program fully comply with all terms and conditions of this Grant Certification Form and the applicable FTA Grant Requirements, and incorporate such terms, conditions and requirements in their agreements with Subrecipients.
4. Grant Requirements: The responsibilities of Subapplicants include, but are not limited to, the following:
 - a. FTA Master Agreement: Each Subapplicant agrees to comply in the same capacity as the "Recipient" with applicable terms and conditions of the FTA Master Agreement, FTA MA (19) dated October 1, 2013 (www.fta.dot.gov/documents/20-Master.pdf) and any agreement which supersedes and replaces it.
 - b. Annual FTA Certifications and Assurances: The Subapplicant agrees to sign the Federal Fiscal Year (FFY) 2014 FTA Certifications and Assurances form, attached hereto and incorporated herein as Attachment "2-A." and shall provide a copy of the signed form to SCAG with each application. Each Subapplicant certifies in the same capacity as the "Applicant" that it shall comply with the applicable annual FTA Certifications and Assurances (published annually in the Federal Register).
 - c. Documentation: Each Subapplicant shall submit to SCAG any documentation reasonably requested by SCAG to assure the validity of all above-referenced FTA Certifications and Assurances.

- d. Transit Asset Management Plans: Each Subapplicant shall agree to the following, as applicable:
- i. It will develop a Transit Asset Management Plan that complies with:
 - 1. 49 U.S.C. Section 5326 et seq., as amended by MAP-21;
 - 2. Federal regulations pertaining to the National Transit Asset Management System required to be issued by 49 U.S.C. Section 5326(d), as amended by MAP-21;
 - 3. Performance Measures required to be issued by 49 U.S.C. Section 5326(c)(1) and Targets per 49 U.S.C. Section 5326(c)(2); and
 - 4. Other applicable federal laws and regulations;
 - ii. It will develop a Transit Asset Management Plan that is consistent with Federal guidance developed or to be developed to implement 49 USC Section 5326, as amended by MAP-21.
 - iii. It will provide progress and performance reports to SCAG, as requested by SCAG.
 - iv. Transit Asset Management Plans shall at minimum include capital asset inventories and condition assessments, and investment prioritization. Subapplicants shall further report on the condition of their system and any change in condition since the last report and submit such reports into the FTA's National Transit Database (NTD). The Subapplicant shall submit to SCAG performance measures and targets adopted as part of such plans, and any other related documentation requested by SCAG.
5. Invoices: Upon award of funding by FTA for successful Applications (grant award), and commencement of approved projects under the LoNo Program, Subapplicants shall submit invoices to SCAG for reimbursement of incurred, eligible and allowable grant program costs. Such costs shall comply with all applicable federal cost principles and other related requirements, and shall serve as the only costs eligible for reimbursement by SCAG. Upon approval of invoices by SCAG, SCAG shall draw-down funds from FTA's ECHO System, and shall pay the Subapplicant upon receipt of payment by FTA. Specific invoice templates along with required forms will be provided to Subapplicants which receive grant awards and will vary based on the award information, i.e., project categories; transit buses, equipment and facilities.
- a. The required, local match by project category (15% for transit buses and 10% for equipment or facilities) shall be deducted by the Subapplicant and reflected in each invoice. The Authorized Representative of each Subapplicant agrees to sign the Match Certification Statement on each invoice. All invoices shall be submitted at least quarterly and no more frequently than monthly, and contain the following information:
 - i. Name of Subrecipient expending the LoNo Program funds;
 - ii. UZA name and number for which the project funds are being reported;
 - iii. A listing of the FTA grant number(s) being reported, with their respective project budget line item (ALI Codes), project category, approved FTA amount, and description of the funded projects;
 - iv. Invoice period and corresponding Progress Report in narrative format;
 - v. Explanation if there is no activity; and
 - vi. All back-up documentation to support the costs and local match stated in each invoice must be attached to each Invoice, and additional documentation regarding costs or local match shall be provided to SCAG upon request.

- b. Indirect Costs: For reimbursement of indirect costs, Subapplicants shall not be entitled to reimbursement of indirect costs unless a copy of an applicable indirect cost plan (ICAP) approved by a cognizant agency, has been received by SCAG. However, the last approved ICAP shall remain in place until each new annual plan is approved, so long as such practice is allowed under applicable federal and state requirements. Subapplicants shall submit a copy of such ICAP to SCAG prior to the submittal of the first Invoice of each Federal Fiscal Year.
 - c. All invoices shall be submitted by Subapplicants to the following email address: AccountsPayable@scag.ca.gov.
 - d. SCAG shall maintain final approval authority of invoices submitted under this Program.
6. Quarterly Reports: Subsequent to grant award, Subapplicants shall submit Quarterly Reports to SCAG which contain the following information, and any additional information as may be required by SCAG or FTA:
- a. Name of Subrecipient expending the LoNo Program funds;
 - b. UZA name and number for which the funds are being reported;
 - c. A listing of the FTA grant number(s) being reported, with their respective project budget line item (ALI Codes), project category, approved FTA amount, and description of the funded projects; and
 - d. Federal Fiscal Year (FFY) Quarterly Milestones/Progress Reports in a narrative format.

Quarterly Reports shall be submitted no later than fifteen (15) days after each FFY quarter has ended, to the attention of SCAG's Grants Administrator (Alfonso Hernandez or other person identified by SCAG). SCAG shall promptly notify all Subapplicants in the event of a change in the person identified in this paragraph as the recipient of the Quarterly Reports. A Quarterly Report template will be given to the Subapplicant, subsequent to grant award.

7. Audits: In accordance with the FTA Master Agreement and applicable federal law and regulations, Subapplicants agree to retain and require its contractors and other third party participants to retain complete and readily accessible records related in whole or part to the LoNo Program ("Records"). Records required to be retained include but are not limited to data, documents, reports, statistics, leases, third party contracts or agreements, arrangements, and other supporting materials related to those records.
- a. Subapplicants shall retain Records for the period required under the FTA Master Agreement, and shall make the Records available for inspection and audit by representatives of SCAG, the State, or the Federal Government upon request. Copies of the Records shall be made and furnished to SCAG upon request at no cost to SCAG.
 - b. Any costs for which a Subapplicant receives payment that is determined by a subsequent audit or other review by SCAG, State or Federal authorities to be unallowable under, but not limited to, OMB Circular A-87; 48 CFR, Chapter 1, Part 31; or 49 CFR, Part 18, and earned interest due, are to be repaid by the Subapplicant within thirty (30) days of such Subapplicant receiving notice of audit findings and a written demand for reimbursement from SCAG. Should the Subapplicant fail to reimburse unallowable costs and interest due to SCAG within thirty (30) days of demand, or within such other period as may be agreed between both parties hereto, SCAG is authorized to withhold future payments due to the Subapplicant.
8. Reports and Forms: Upon grant award by FTA, as applicable, Subapplicants shall submit to SCAG the following documents and reports which relate to the LoNo Program:
- a. Quarterly Milestones/Progress Reports during the current FFY;

- b. Disadvantaged Business Enterprise (DBE) reports and all other reports and documentation required by FTA;
 - c. Final/Close-out Reports;
 - d. IRS W-9 Form;
 - e. Banking information which includes name of the financial institute, ACH routing number, and account number; and
 - f. Any other documents or reports requested by FTA or SCAG.
9. Indemnity: The Subapplicant agrees to indemnify, defend and hold harmless SCAG and its respective officers, agents and employees from and against any and all claims, demands, costs, or liability arising from or connected with intentional or negligent acts, errors or omissions, any violations of law, or any violations of the terms and conditions of this Certification Form (including non-compliance with the FTA Master Agreement and annual FTA Certifications and Assurances) attributable to performance of the responsibilities as set forth herein by the Subapplicant or its Subrecipients, officers, agents, employees, contractors and subcontractors, except to the extent caused by the negligence or willful misconduct of SCAG.

BY SIGNING BELOW, on behalf of the Subapplicant, I declare under penalty of perjury that the Subapplicant has duly authorized me to sign this Grant Certification Form, and bind the recipient's compliance. Thus, the Subapplicant agrees to comply with all requirements set forth herein.

Signature of Authorized Representative

Date

Name of Authorized Representative

Name of Subapplicant

Address of Subapplicant

Return Form To:

Alfonso Hernandez, SCAG Grants Administrator
818 W. 7th Street, 12th Floor
Los Angeles, CA 90017
hernande@scag.ca.gov

ATTACHMENT 2-A
FEDERAL FISCAL YEAR 2014 CERTIFICATIONS AND ASSURANCES
FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS

Name of Applicant: _____

The Applicant agrees to comply with applicable provisions of Groups 01 – 24. _____

OR

The Applicant agrees to comply with applicable provisions of the Groups it has selected:

<u>Group</u>	<u>Description</u>	
1.	Required Certifications and Assurances for Each Applicant.	_____
2.	Lobbying.	_____
3.	Procurement and Procurement Systems.	_____
4.	Private Sector Protections.	_____
5.	Rolling Stock Reviews and Bus Testing.	_____
6.	Demand Responsive Service.	_____
7.	Intelligent Transportation Systems.	_____
8.	Interest and Finance Costs and Acquisition of Capital Assets by Lease.	_____
9.	Transit Asset Management and Public Transportation Agency Safety Plan.	_____
10.	Alcohol and Controlled Substances Testing.	_____
11.	Fixed Guideway Capital Investment Program (New Starts, Small Starts, and Core Capacity) and Capital Investment Program in Effect before MAP-21.	_____
12.	State of Good Repair Program.	_____
13.	Fixed Guideway Modernization Grant Program.	_____
14.	Bus and Bus Facilities Formula Grants Program and Bus and Bus Related Equipment and Facilities Grant Program (Discretionary).	_____
15.	Urbanized Area Formula Programs and Job Access and Reverse Commute (JARC) Program.	_____
16.	Seniors/Elderly/Individuals with Disabilities Programs and New Freedom Program.	_____
17.	Rural/Other Than Urbanized Areas/Appalachian Development/Over-the-Road Bus Accessibility Programs.	_____
18.	Public Transportation on Indian Reservations Programs (also known as the Tribal Transit Programs).	_____
19.	Low or No Emission/Clean Fuels Grant Programs.	_____
20.	Paul S Sarbanes Transit in Parks Program.	_____
21.	State Safety Oversight Program.	_____
22.	Public Transportation Emergency Relief Program.	_____
23.	Expedited Project Delivery Pilot Program.	_____
24.	Infrastructure Finance Programs.	_____

FEDERAL FISCAL YEAR 2014 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for FTA funding and all FTA Grantees with an active Capital or Formula Project)

AFFIRMATION OF APPLICANT

Name of Applicant: _____

Name and Relationship of Authorized Representative: _____

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all Federal statutes and regulations, and follow applicable Federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2014, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Project for which it seeks now, or may later seek FTA funding during Federal Fiscal Year 2014.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature: _____ Date: _____

Full Name: _____

Authorized Representative of Applicant: _____

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA Project or Projects.

Signature: _____ Date: _____

Full Name: _____

Attorney for Applicant: _____

Each Applicant for FTA funding and each FTA Grantee with an active Capital or Formula Project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.